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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CVD EQUIPMENT CORPORATION, Plaintiff, -against- TAIWAN GLASS INDUSTRIAL CORPORATION, and MIZUHO CORPORATE BANK, LTD., Defendants.	Civil Action No.: 10 CV 0573 (RJH) (RLE)
TAIWAN GLASS INDUSTRIAL CORPORATION, Counterclaim Plaintiff, -against- CAPITAL ONE, N.A., Counterclaim Defendant.	

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the papers referenced therein, supporting declaration of Paul B. Maslo, and attached exhibits, Counterclaim Defendant Capital One, N.A., by its counsel, will move this Court before the

Honorable Richard J. Holwell, in Room 17B of the United States Courthouse, 500 Pearl Street, New York, New York, on March 18, 2011 at 2:30 p.m., or as soon thereafter as counsel can be heard, for an order dismissing the Counterclaim as against it with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and for such other and further relief as the Court may deem just and proper.

DATED: January 28, 2011

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